(not to be distributed)

G. R. S. 58]

Previous references.

Pallegar Pension File No. 43 of Bagalur Family
S & A 178 – 14 dly 2, 3, 4 B. Nov. 1914 (S)

Preserved

S&A File No. 178 – 14

Serial Nos. 3 1,588

Later references.

4 & 10 B. 7 July 1915

S&A 141-15 No 1,586, B. Jan 16

S&A 15-18 No 17, B. 2 Nov 18

" 4 3 & 4, — 7 Feb 1919

GENERAL AND REVENUE SECRETARIAT.

S&A 57-32 (1-4)
S&A 226-33 (1-2)
" 439-35 (1-2)
" 232-37 (1-2)
S & A dly no 141-42

Serial Nos. 1,548

S&A 8-55 (1-2). **Part B for** May 1915

SUBJECT.

Distributing in equal shares the vacant pension of Rs 63.8.10 of the Bagalur Pallegar Family among the members stated.

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1. From the Khajana Bakshi, S H Treasury, Bangalore
No. 27 & 26. 10. 1914
Reports that ~~Messrs~~ B.J. Sethadri Naick & Krishnasami Naik have applied for the vacant Pallegar Family commencement on Mr. B J Kumarasami Naik's death & that references would be submitted in due course

5. From the Same officer
No. 43 B 11th Feb 1915
Fr. records of Enquiry and reports the names of claimants & solicits orders on the question of succession to the vacant pension.

GPB—10,000—23-3-15

G.R.S. 11] 1914-15

GENERAL AND REVENUE SECRETARIAT.

(S & A)

NOTES.

File No. 178-14

FILE HEADING.

Bagalur Pallegar Family Pensions.

From

The Khazana Bakshi, State Huzur Treasury

No. 27 Dated 26.10.14 Received 28.10.14

Diary No. 1592	Enclos. -	Spare Copies. -	Serial No. ?

BRIEF ABSTRACT OF LETTER.

Reports ad interim that Messrs Sesha dri Naik & Krishnasami Naik, brothers of the late Mr. B.J. Ramanasami Naik have applied for the division family pension and that a final communicate will be submitted after all the parties concerned are heard.

NOTES AND ORDERS.

Sub? for information.

16/11/14

14.11.14

NOTES—First Sheet.

GPB—35,000—15 6-12

G.R. S. 12]

General and Revenue Secretariat.

S & A File No. 178 of 1914.

Serial No. 5.

From the Khazana Bakshi, S. M. Treasury

No. 43 & 11.2.1915

Fd with records his report of enquiry on the question of succession the Palegar pension of Rs 63.8.10 rendered vacant by the death of the late Mr. B.J. Kumarasami Naik of the Bagale Family.

2 Papers relating to the transfer of the pension to the late Mr. Kumarasami Naik's name are put up & the pension is for the benefit of the Palegar family in question.

3. The deceased leaves behind him the following members of the family.

i) Venkatakrishnaraja, eldest son by the 1st wife (died) - of Defective Mind

ii) Ramakrishnaswami Raju, (minor) son by 2nd wife Lakshminarasammanni

iii) Lakshminarasammanni

(iv) B.J. Krishnasami Naik, brother of the deceased

(v) B.J. Seshadri Naik, another brother of the deceased

(vi) Akkammanni, widow of the a deceased brother of the deceased.

[In Mrs Lakshminarasammanni's petition of 14th Dec 14 she states that another posthumous son was born to her & it is not clear why this additional heir was excluded.]

4. That the pension now to be disposed of is for the benefit of all the claimants is conceded

Paper under disposal

NOTE—Contn. sheet.

GPB—25,000—2-11 14

G. R. S. 12]

General and Revenue Secretariat. | S+A File No. 178 of 1914.

Serial No.

by all of them & the only question in dispute is as to whom the pension should be transferred -

5. No. 3 Mrs Lakshminarasammanni contends thro' her advocate Mr. D Venkataramaiya that the pension should be registered to the joint names of herself & her minor son, N

6. No. 4 Mr. Krishnasami Naik asks for the pension being subdivided and if this cannot be done, the registry being made in Mr. Seshadri Naik's name. One Mr. B J Jevappa Naik on behalf of N. A. Kammamma, agrees to the registry in Mr. Seshadri Naik's name.

7. There are no instances in which a Palegar pension has been registered in a woman's name when there are eligible male members of the family to succeed. In cases in which the shares have been inconvenienced by not receiving in time their shares, Govt have on the report of the Khazana Bakshi divided the pension among the shares. (vide case of Hagil-wadi Pensioners).

8 A special Palegar pension of Rs 50/-

1592 + 3 w.s.

4

G.O.R. S. 12]

General and Revenue Secretariat. | S & A File No. 178 of 1914.

Serial No.

P

was registered in the name of M. Lakshmi-narasamma and it is personal to her.

9 One other point for consideration is whether Advocates/ordegal practitioners may be allowed to appear on behalf of Political pensioners in enquiries before the Khazana Bakshi. Enquiries are extra judicial. There is no authority for such appearance. In inquiries conducted by the General & Revenue Secy in the succession application put for-ward by Rance Akkajammanni of Anekal Palegar Family (under the orders of the Dewan), advocates were allowed to appear on both sides. (Reference is remarks

N also invited to the Dewan's in the file relating to Bhagilwadi family.)

23/7/15

10 That Mr Krishnaswa Kumarasami Naik's two brothers & a widow of a 3rd brother are entitled, in addition to his Children, to a share of the pension none of the parties deny. The only question is whether Where name the pension shall be registered or whether it shall be divided & registered in the name of the several claimants is the only question to be decided. Although it is against the general policy of such political

NOTE—Contn. sheet.

GPB—25,000—2-11-14

1592+3200

G. R. S. 12] 5

General and Revenue Secretariat. | S+A File No. 178 of 1914.

Serial No.

pensions to divide & register them in the name of the several Claimants, ~~in View of~~ it would be preferable to follow this course so as to ~~the~~ prevent any chance of the Claimants ~~following~~ falling out with each other and ~~th~~ complaining that their shares were not paid. If this View is accepted a fourth of the pension may be registered in the names of the two brothers, the 3rd brother's widow and the 2nd minor Son of Mr Kumarasami Naick, with the mother as guardian.

Next as urgent under disposal
Diwan
27/2

(Closed)
hg
24/2

1 A comprehensive draft may be proposed
Diwan
27/2

2 A draft Rgd is put up.
RAM-67 Mrs
27/2/15

H.P.B.
2/3/15

(closed)
hg
3.3.15

3 A typed draft as revised may be put up in 3 days
Diwan
5/3

4 A typed tidy draft is put up.
RAM-67 Mrs
5/3/15
(closed)
hg
6/3

NOTE—Contn. sheet.

GPB—35,000—2-11-14

General and Revenue Secretariat.

S & A File No. 178 of 1914.

Serial No.

15 The draft order may be approved. With regard to para 4, I have proposed an alternative in the margin which, if approved, will tend to preserve the dignity to some extent of the late Mr B. J. K. Naick's branch of the family. The separate payment of shares to each of the sharers will be quite sufficient to prevent all disputes.

Dewan Rao 12/3

5980 / 13-3-15 Dewan)

Draft approved by Dewan. (with the alternative struck out) — 1.5.15

Dutt 7/5 Secy

8 To Comptroller, Mysore Govt & The Khazana Bak

No. H. 6320-1 dt 5.5.1915

S & A 178-14-8

Directs that the vacant pension Rs 63.8 be divided equally among the following members of the Bagalur Pallegar family

1) Mrs Lakshminarasamma on behalf of herself & the two sons of Mr. B Kumarasami Naik

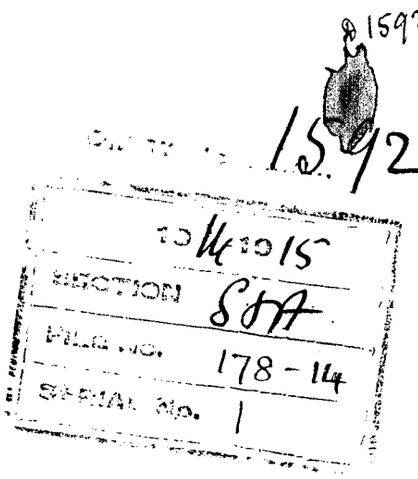
2) Mr. B. J. Seshadri Naik

3) " B. J. Krishnasami Naik

+ 4) A K Kammamani who will have only a life interest in the shar

NOTE—Contn. sheet.

GPB—25,000—2-11-14



191 4

From The Khazana Butcher
State Treasury
Bangalore

To The Secretary
to the Government of Mysore
General and Revenue
Deptt, Bangalore

Dated

Despatched 26 October 19

Received

General No. 27.

No.

Enclosure No.

Sir

I have the honor
inform that I have
received petitions from
Messrs. Seshadri Naik
and Krishnaswami Nai
brothers of late Mr. B.
Kumaraswami Naick
the matter of distribution
of the family pension.

Notice has been issu
to all the parties concern
and as soon as the
parties are heard a
report will be submitted

I have the honour
Sir
Your most Obedient
Servant

GPB—5,76,000—6-4-12

Khazana Butcher
Asst

3200

Gl. 17]

It is requested that in future communications on the subject, the No. and date of this letter, and the distinguishing letters below the number as given opposite, may be quoted and addressed to the Comptroller, Mysore Government window dilivery No. 6, Bangalore.

H.P.B. Received 16/2/15

~~the communications~~

11 FEB 1915 BANGALORE

14 15 SOA 178-14 5

No. 43/Eu:17 only. OFFICE OF THE COMPTROLLER, MYSORE GOVERNMENT,

Dated Bangalore, the 11th February *191*5.

FROM

J. S. CHAKRAVARTI, ESQ., M. A.,
F. R. A. S., ETC.,
Comptroller to the Government of
His Highness the Maharaja of Mysore.

Re Khajane Bakshi State Huzur Treasury

To

D. M. Narasinga Rao, ESQ., B.A., B.L.,
Secretary to the Government of Mysore,
General and Revenue *Departments*

SIR,

In continuation of my letter no. 27 dated 24th October 1914 I have the honour to forward herewith the records of my enquiry into the matter of the succession to the late Mr. B.J. Kumaraswami Naik pension and to submit as follows.

Mr. Kumaraswami Naik has left behind him two brothers, a brother's and his own wife and two sons one by the latter and another by his first wife. The brothers Krishnawami Naik and Seshadri Naik as well as the brother's widow, want the pension to be registered in the name of Seshadri Naik, while Kumaraswami Naik's widow Lakshminarasamma has put in a petition stating that as the eldest son of Mr. B.J. Kumaraswami Naik is of ~~weak~~ defective mental development, the pension which should otherwise have been registered in his name may be registered in the joint names of herself and her eldest son Krishnaswami Naik, now a minor. She says she will distribute the pension to the sub sharers as heretofore.

As stated above, the sub sharers are unwilling tha

Rec.—Gl. 17]

.....Department.

19 .

FROM

J. S. CHAKRAVARTI, ESQ., M. A.,
F. R. A. S., ETC.,
Comptroller to the Govt. of
H. H. the Maharaja of Mysore.

To

.....ESQ.,

Secretary to the Govt. of Mysore.

....*Dept.*

Dated

Despatched

Received

No.

Subject matter.

GPB—2,000—17 7-12

that either Lakshminarasamma or her son should be constituted the chief Barawadar and want the pension to be split up. Mr. D. Venkataramiah, Advocate, who appeared for Lakshminarasamma contends that with regard to ~~the~~ Polygar pensions, the succession runs in the eldest line and that therefore the request of his brother is untenable. He cites instances of the Gumminaikenpalaya and Tarikere families. Per contra Seshadri Naik mentions the instances of the Hagalavadi and Anegondi families. The fact is that both parties are correct. Usually pensions are registered in the name of the eldest son of a deceased polygar for the support of the whole family. But when the parties want a separate registry owing to disagreement among themselves or other cause, it is not unusual to comply with their request. The case of Narain Raju, Vide G.O. No.51-52 dated 16th/18th December 1897 is a notable example. There the Government appear to have directed separate registry, in spite of the Khajana Bakshi pointing out to them its incompatibility with a principle, previously laid down and for no other reason than that "they" object to be treated as subordinate members." Even in the Tarikere case instanced by the counsel to Lakshminarasamma a separate registry as sub-Polygar was eventually ordered by Government, Vide G.O.No.Fl.P/182 dated 18th June 1904. It will thus be seen that the contention of neither party is wholly correct. Pensions neither devolve wholly in the eldest line nor are they always sub-divided. This being the case it is entirely open to Government to either register the pension in question in the name of the second son of Mr. B.J. Kumaraswami Naik (the eldest is of defective intellect) or divide and register it in the names of the two brothers and the son of sound mind of the deceased. The former is in conformity with the usual course. But Seshadri Naik states that even in the life time of Mr. Kumaraswami Naik he wanted a division of the pension as he was often put to much trouble owing to delay in payment and in proof of the averment files certain letters. It is probable that

that there was delay at times. As it does not appear that the relationship between Lakshminarasamma and the late Mr. Kumaraswami Naik brother are very cordial, the fear of the latter that their trouble may increase if the pension is not split ~~to~~ of seems not be without reason. If therefore the Government are disposed to accede to their request the pension may be registered separately in the names of Seshadri Naik, Krishnswami Naik, Ramar Krishnaswami Naik, son of the late Mr. B.J. Kumaraswami Naik as head of his family and Akkammani, widow of the late Ramaswami Naik. If, however, the Baraward cannot be split, then, Ramar Krishnaswami Naik, son of Mr. B.J. Kumaraswami Naik may be registered as Barawadar with Lakshminarasamma as guardian. Laksh minarasamma's claim to be made a joint Barawadar with her son is untenable. The case of Krishnajammani of the Manjarabad family is not on fours with that of hers. There, the sons of the lady themselv wanted the arrangement. Vide G.O. No.6-7/P.P.F. 6-96-97 dated 4th/5th August 1897. Lakshminarasamma's request in this matter cannot therefore be complied with.

I have the honour to be,

Sir,

Your most obedient servant,

Assistant Comptroller.

RK

Tidy Draft

Proceedings of the Government of His Highness the Maharaja of Mysore.

---O---

Read:-

(1) G. O. No 12685-6 / 1671 dated 13th-February 1891 registering the Pallegar - pension of the deceased Venkatasami -- Naik of Bagalur Family in the name of - his eldest son (the late) Mr. B.J. Kumarasami Naik.

(2) Para 2 of G.O. Fl 2238-9 / S & A178-14-3 dated 27th November 1914 stating that se separate orders will issue regarding the disposal of the Pallegar pension of the - Bagalur family on receipt of the ---- Khazana Bakshi's report.

(3) Correspondence ending with -- letter No 43 dated 11th February 1915 from the Khazana Bakshi, S. H. Treasury, reporting on the subject.

Order thereon No:- 26320-1-8 / S.A. 178-14-11

Dated, Bangalore the 5 [illegible]

The question of fresh registration

of the Pallegar pension of Rs 63-8-10 sanctioned for the benefit of the members of the Bagalur family has arisen on account of Mr. B. J. Komarasawmi -- Naik's death on the 3rd October 1914. The claimants to this pension are, according to the report of the Khazana - Bakshi as follow:-

(1) Venkatakrishnamaraju, Eldest son of the deceased.

(2) Ramakrishnamaraju, son (minor) Do

(3) Lakshminarasamma, widow Do

(4) B.J.Krishnasami Naik, brother of the deceased,

(5) B.J.Seshadri Naik Do

(6) Akkammanni, widow of the third --- brother of the deceased through her father and guardian Mr. B. J. Jeevappa Naik, Forest Ranger, Madras service.

2. Venkatakrishnamaraju and Rama krishnamaraju, No 1 and 2 are reported - to be living with Mrs. Lakshminarsamma No 3.

3. Mrs. Lakshminarasamma requests -- that the pension may be registered in the joint names of herself and her minor son, the eldest son being incapable of -- looking after himself by reason of defective intellect, and undertakes to distribute the pension among the members of --- the family as heretofore. Messrs. Seshadri Naik and Krishnasami Naik, brother of the deceased, however, object to this course as they fear that their shares - would not be paid to them regularly and ~~mainly~~ in particular urge that the pension may be -- divided and separately registered in the names of the several claimants.

4. There is no question as to the enjoyment of the pension in equal shares - by the late Mr. B. J. Komarasami Naik, -- his two brothers and the third brother's widow.

5. Government are pleased to direct - that the pension be divided into 4

Alternative.

Govt are pleased to direct that the pension be registered in the name of Mrs Laksminarasamma and that payments of the pension be made in four equal shares to the following persons :—

equal shares and a share be registered in the name of each of the following -- persons:-

(1) Mrs. Lakshminarasamma on behalf of herself and the two sons.

(2) Mr. B.J.Seshadri Naik.

(3) Mr. B.J.Krishnasami Naik.

(4) Akkammanni who will have only a life interest in the share.

1.5.15.

Offg. Secretary to Government.

To

The Comptroller in Mysore.

The Khazana Bakshi, S.H.Treasury, return enclosures.

5/3/15